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## CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

Date of deposit with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: August 17, 2004 Name: John Nethery Signature: [Signature]

BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Phil Hetherington et al.

Appln. No.: 10/688,802

Filed: October 16, 2003

For: SYSTEM FOR SUPPRESSING WIND NOISE

Examiner: TBA

Art Unit: 2644

Attorney Docket No: 11336/592 (P03131USP)

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Third Supplemental Information Disclosure Statement (in dup. 3 pages), PTO 1449 form (1 page) and copies of cited references D3-D4.  
☒ Return Receipt Postcard.

## Fee calculation:

- ☐ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

17-AUG-2004

Date: 17-Aug-2004

[Signature]  
John F. Nethery (Reg. No. 42,928)



# **CERTIFICATE OF MAILING**

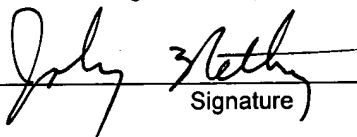
Date of Deposit with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 17, 2004

Date of Deposit

John F. Nethery, Reg. No. 42,928

Name of Applicant, Assignee or  
Registered Representative

  
Signature

Our Case No.: 11336/592 (P03131USP)

## **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<p>In re Application of:</p> <p>Phil Hetherington et al.</p> <p>Serial No.: 10/688,802</p> <p>Filing Date: October 16, 2003</p> <p>For: <b>SYSTEM FOR SUPRESSING WIND NOISE</b></p>	<p>Examiner: TBA</p> <p>Group Art Unit No.: 2644</p>
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### **THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Third Supplemental Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record.

The references now cited are the following:

### U.S PATENT DOCUMENTS

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME
5,146,539	9/08/1992	Doddington et al.
5,701,344	12/23/1997	Wakui

### OTHER ART DOCUMENTS

Shust, Michael R. and Rogers, James C., Abstract of "Active Removal of Wind Noise From Outdoor Microphones Using Local Velocity Measurements", <i>J. Acoust. Soc. Am.</i> , Vol. 104, No. 3, Pt 2, 1998, 1 page.
Shust, Michael R. and Rogers, James C., "Electronic Removal of Outdoor Microphone Wind Noise", obtained from the Internet on July 28, 2004 at: < <a href="http://www.acoustics.org/press/136th/mshust.htm">http://www.acoustics.org/press/136th/mshust.htm</a> >, 6 pages.

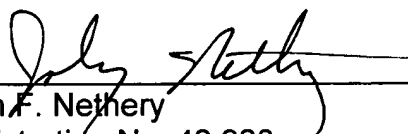
In accordance with 37 C.F.R. § 1.97(g),(h), this Third Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Pursuant to 37 CFR 1.98 (a) (2) (i), effective for applications filed after June 30, 2003, Information Disclosure Statements may be filed without copies of U.S. patents and U.S. published applications.

This Third Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are

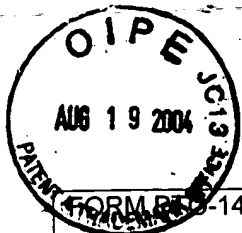
believed to be due in connection with filing of this Third Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Respectfully submitted,

17-AUG-2004  
Date

  
\_\_\_\_\_  
John F. Nethery  
Registration No. 42,928  
Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
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FORM P-1449	SERIAL NO. 10/688,802	CASE NO. 11336/592 (P03131USP)
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE Oct. 16, 2003	GROUP ART UNIT 2644
(use several sheets if necessary)		APPLICANT(S): Phil Hetherington

#### REFERENCE DESIGNATION

#### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	D1	5,146,539	9/08/1992	Doddington et al.		
	D2	5,701,344	12/23/1997	Wakui		
	D					
	D					
	D					
	D					
	D					
	D					

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	D					
	D					
	D					
	D					
	D					

#### OTHER ART - NON PATENT LITERATURE DOCUMENTS

(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)

EXAMINER INITIAL		
	D3	Shust, Michael R. and Rogers, James C., Abstract of "Active Removal of Wind Noise From Outdoor Microphones Using Local Velocity Measurements", <i>J. Acoust. Soc. Am.</i> , Vol. 104, No. 3, Pt 2, 1998, 1 page.
	D4	Shust, Michael R. and Rogers, James C., "Electronic Removal of Outdoor Microphone Wind Noise", obtained from the Internet on July 28, 2004 at: < <a href="http://www.acoustics.org/press/136th/mshust.htm">http://www.acoustics.org/press/136th/mshust.htm</a> >, 6 pages.
	D	
	D	
	D	
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EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.